

10/512130

DT01 Filed PCT/PTC 13 OCT 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Practitioner's Docket No.: PAT-01027

Manuela NIEMEIER et al.

Serial No.: This case is a U.S. National
Phase under Chapter II based on
PCT/EP03/04767

Group Art Unit:

Filed: Herewith

Examiner:

For: Coatings, Methods for Producing the Same, and the Use Thereof

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

NOTE: This application will be copending with the national stage applications for PCT/EP03/04646 and PCT/EP03/04645, which were filed in the U.S. on 12 October 2004.

COPIES PROVIDED:

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, U.S. patent application publications, copies of U.S. applications that were filed on or after June 30, 2003, and copies of U.S. applications that were filed before June 30, 2003 that are available in the Image File Wrapper System.

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [____], filed on [_____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [_____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

FOREIGN LANGUAGE DOCUMENTS

☐ There are no foreign language documents listed on Form PTO-1449.

☒ The following non-English language references were cited in the specification. The English language equivalents/translations for these references are being submitted in substitution for and/or in addition to the non-English references.

Cited	US/English Equivalent
DE19709467	6261645
DE19726829	6632897
DE19816136	6620514
DE19843581	6419989
DE19909877	U.S. Serial No. 09/914,545, filed 8-30-01, Betz et al.
DE19910876	Abstract for DE19910876 from EPO, 2000-10-05.
DE19920801	U.S. Serial No. 10/009,394, filed 10-25-01, Allard et al.
DE19930664	U.S. Serial No. 10/018,352, filed 12-7-01, BREMSER
DE19940858	U.S. Serial No. 10/049,532, filed 2-12-02, Armbrust et al.
DE3828098	Abstract for DE3828098 from EPO, 1990-03-08.
DE3836815	Abstract for DE3836815 from EPO, 1990-07-26.
EP365027	Abstract for EP365027 from EPO, 1990-04-25.
EP450625	Abstract for EP450625 from EPO, 1991-10-09.
EP832947	5853809
WO03016411	U.S. Serial No. 10/483,698, filed 1-13-04, Meisenburg et al.
WO03095532	translation
WO03095571	translation
WO9952964	6620514

☐ English language abstract for the following non-English references are enclosed.

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☒ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.

☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:

☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.

Information Disclosure Statement
Page 3

- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$180.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation **Deposit Account No. 23-3425** for any additional fees due hereunder.

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Michael F. Morgan 13 October 2004
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FORM PTO-1449 US DEPARTMENT OF COMMERCE
(MODIFIED) PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use sever of sheets if necessary)

Atty. Docket No.: PAT-01027

10/512130

In re Application of: Manuela NIEMEIER et al.

Serial No.:

Filed:

Examiner initial		DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE	
	AA	20030125460	07/03/2003	Kato et al.	07/05/02	
	AB	20040059053	03/25/2004	Bremser et al.	08/20/2003	
	AC	20040132902	07/08/2004	Bremser et al.	10/30/2003	
	AD	3,069,375	12/18/1962	Bullitt et al.	10/04/1957	
	AE	5,246,624	09/21/1993	Miller et al.	01/30/1992	
	AF	5,853,809	12/29/1998	Campbell et al.	09/30/1996	
	AG	6,261,645	07/17/2001	Betz et al.	11/05/1999	
	AH	6,419,989	07/16/2002	Betz et al.	06/06/2001	
	AI	6,620,514	09/16/2003	Arpac et al.	10/06/2000	
	AJ	6,632,897	10/14/2003	Geiter et al.	12/20/1999	
Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AK	DE19910876	05.10.00	DE		X
	AL	DE19920801	16.11.00	DE		X
	AM	DE3828098	08.03.90	DE		X
	AN	DE3836815	26.07.90	DE		X
	AO	EP365027	25.04.90	EP		X
	AP	EP450625	09.10.91	EP		X
	AQ	WO0153107	26.07.01	WO	X	
	AR	WO02055186	18.07.02	WO	X	
	AS	WO03016411	27.02.03	WO		X
	AT	WO03095532	20.11.03	WO	X	
	AU	WO03095571	20.11.03	WO	X	
	AV	WO9712945	10.04.97	WO	x	
	AW	WO9716479	09.05.97	WO		X
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
	AX	Abstract for DE19910876 from EPO, 2000-10-05.				
	AY	Abstract for DE3828098 from EPO, 1990-03-08.				
	AZ	Abstract for DE3836815 from EPO, 1990-07-26.				
	BA	Abstract for EP365027 from EPO, 1990-04-25.				
	BB	Abstract for EP450625 from EPO, 1991-10-09.				
	BC	U.S. Serial No. 09/914,545, filed 8-30-01, Betz et al.				
	BD	U.S. Serial No. 10/009,394, filed 10-25-01, Allard et al.				
	BE	U.S. Serial No. 10/018,352, filed 12-7-01, BREMSER				
	BF	U.S. Serial No. 10/483,698, filed 1-13-04, Meisenburg et al.				
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

*Applicant has modified this form by deleting the word "prior".